

Terrence J. Coleman (State Bar No. 172183)
 Azin Jalali (State Bar No. 277326)
 PILLSBURY & COLEMAN, LLP
 100 Green Street
 San Francisco, California 94111
 Telephone: (415) 433-8000
 Facsimile: (415) 433-4816
 Email: tcoleman@pillsburycoleman.com
 ajalali@pillsburycoleman.com

Attorneys for Plaintiff,
 SABRINE FINAU

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SABRINE FINAU,

Plaintiff,

vs.

SYMETRA LIFE INSURANCE COMPANY;
 RICARDO LARA AS COMMISSIONER OF
 THE CALIFORNIA DEPARTMENT OF
 INSURANCE; and DOES 1-20, inclusive,

Defendants.

Case No. 3:23-cv-01205-WHO

**STIPULATION AND ORDER FOR
 REMAND TO STATE COURT**

PLAINTIFF SABRINE FINAU (“PLAINTIFF”) AND DEFENDANT SYMETRA LIFE
 INSURANCE COMPANY (“SYMETRA”), BY AND THROUGH THEIR COUNSEL OF RECORD,
 HEREBY AGREE AND STIPULATE AS FOLLOWS:

1. On February 6, 2023, Plaintiff filed an action against Symetra in the Superior Court of California, County of San Francisco, Case No. CGC-23-604484. The complaint alleged breach of contract and breach of the covenant of good faith and fair dealing under a group long term disability insurance policy insured by Symetra to California Dental Hygienists’ Association (the “Policy”).

2. On March 16, 2023, Symetra filed a Notice of Removal and supporting documents in the United States District Court, Northern District of California, Case No. 3:23-cv-01205-WHO, citing ERISA and federal question jurisdiction as the grounds for removal.

3. Counsel for Plaintiff and Symetra discussed the applicability of ERISA in this action and agree there are facts indicating that the Policy may not be governed by ERISA, in which case Plaintiff's claims would not present a federal question.

Accordingly, Plaintiff Sabine Finau and Defendant Symetra respectfully request that the Court remand this matter to the Superior Court of California, County of San Francisco.

IT IS SO STIPULATED.

Dated: April 11, 2023

PILLSBURY & COLEMAN, LLP

By: /s/ Terrence J. Coleman

Terrence J. Coleman
Azin Jalali
Attorneys for Plaintiff,
SABRINE FINAU

Dated: April 11, 2023

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ Jordan S. Altura

Jordan S. Altura
Adelle Greenfield
Attorneys for Defendant,
SYMETRA LIFE INSURANCE COMPANY

Filer's Attestation


The filing attorney attests that he has obtained concurrence regarding the filing of this document and its content from the signatories to this document.

ORDER

Pursuant to Plaintiff Sabrina Finau and Defendant Symetra Life Insurance Company's stipulation, **IT IS SO ORDERED:**

The above-captioned matter shall be remanded to the Superior Court of California, County of San Francisco.

Dated: April 18, 2023



UNITED STATES DISTRICT COURT JUDGE
HONORABLE JUDGE WILLIAM H. ORRICK